

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

TIFFANY SARGANT, <i>et al.</i> ,)	3:13-cv-00453-LRH-WGC
)	
Plaintiffs,)	<u>MINUTES OF PROCEEDINGS</u>
)	
vs.)	April 17, 2014
)	
HG STAFFING, LLC, <i>et al.</i> ,)	
)	
Defendants.)	
_____)	

PRESENT: THE HONORABLE WILLIAM G. COBB, U.S. MAGISTRATE JUDGE

DEPUTY CLERK: Katie Lynn Ogden REPORTER: FTR

COUNSEL FOR PLAINTIFFS: Leah Lin Jones and Mark R. Thierman

COUNSEL FOR DEFENDANT(S): Terry Kinnally (Telephonically)

MINUTES OF PROCEEDINGS: Motion Hearing

10:01 a.m. Court Convenes.

The court holds today's hearing to address Plaintiffs' Motion to Compel Responses to Plaintiffs' First Set of Interrogatories and Request to Supplement Production of Documents (Doc. # 26)¹ and the subsequent Supplemental Memorandum to the Motion to Compel (Doc. # 34). The court addresses aspects of the parties' discovery dispute which remains following Defendants' Second Supplemental Disclosures.

I. Plaintiffs' Motion to Compel Responses to Plaintiffs' First Set for Interrogatories and Request to Supplement Production of Documents (Doc. # 26)

Utilizing Plaintiffs' supplemental memorandum (Doc. # 34), the court orders the following:

A. Plaintiffs' First Set of Requests for Production of Documents:

Request Nos. 5 & 6: GRANTED; Defendants shall supplement their responses to include employment records of Plaintiffs Boggs and Wiederholt and "swipe data" pertaining to all plaintiffs.

¹ Defendants' response (Doc. # 29). Plaintiffs' reply (Doc. # 31).

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Request No. 10: **GRANTED**; Defendants shall supplement their responses to provide, to the extent not previously produced, full employment records for Plaintiff Cryderman between the dates of November 28, 2012 through April 24, 2013.

Request No. 12: **GRANTED**; Defendants shall produce job descriptions for putative class members.

Request No. 13: **GRANTED**; Defendants shall supplement their responses (“clock in/clock out” data and “swipe data” for putative class members).

Request Nos. 14-17: **GRANTED**; Defendants shall supplement their productions with respect to time spent by putative class members reconciling cash banks pre or post shift; attending pre-shift meetings or completing paperwork pre or post shift; pre or post shift cleaning tasks and pre or post shift training.

Request Nos. 18-21: **GRANTED**; Defendants shall supplement their responses as to investigations, if any, by the Nevada Labor Commissioner and/or the Department of Labor into selected employment complaints. This request is limited to when the Grand Sierra Resort (“GSR”) was first established as GSR.

B. Plaintiffs’ First Set of Interrogatories:

Interrogatory No. 1: **GRANTED**; Defendant shall supplement their responses. The responses are to incorporate job title and job classification. At this time, the court declines to order the response to incorporate rate of pay; therefore, Defendants are not required to include such information. Defendants’ counsel agrees to produce the outstanding information in Excel Spreadsheet.

In view of the overall discussion regarding the remaining discovery disputes, Plaintiffs’ Motion to Compel Responses to Plaintiffs’ First Set of Interrogatories and Request to Supplement Production of Documents (Doc. # 26) is **GRANTED**. Defendants shall supplement their responses no later than **Friday, May 16, 2014**.

The court encourages the parties to meet and confer in person regarding the remaining supplemental production.

II. Discovery Plan/Scheduling Order

The current Discovery Plan/Scheduling Order (Doc. # 17) is hereby extended by 120

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days. The parties shall revise and submit an amended scheduling order for court approval.

III. Plaintiffs' Request for Attorneys' Fees

In light of Plaintiffs' motion to compel being granted, the court is inclined to grant such a request for attorneys' fees proposed by Plaintiffs' counsel. However, the court directs the Plaintiffs to file a properly supported motion under Fed. R. Civ. P. 37(a)(5)(A).

IT IS SO ORDERED.

11:11 a.m. Court adjourns.

LANCE S. WILSON, CLERK

By: /s/
Katie Lynn Ogden, Deputy Clerk